



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

0003
COPY

February 22, 2006

Mr. Richard Davis
1483 East Springdell Drive
Provo, UT 84604

Subject: Deficient Notice of Intention to Commence Small Mining Operations,
Peay's Dream Mine, S/049/054, Utah County, Utah

Dear Mr. Davis:

The Notice of Intent to Commence Small Mining Operations (NOI), received by the Division on February 2, 2006, concerning the proposed small mining project located in SW1/4 NE1/4 SE1/4 of Section 29, T6E, R3W, SLBM, Utah County, Utah is incomplete. The following information is required:

- A review of the project area by the State Historic Preservation Office has found that there is a likelihood that significant cultural resources may exist within the project area. The Division requests that a cultural resource survey be conducted by a qualified individual prior to any mining related disturbance. If cultural resources are found, the Division requests the operator to avoid, or mitigate prior to proceeding.
- Before the Division can accept your notice, you will need to obtain the necessary permits from Provo City and Utah County. Evidence that these permits will need to be submitted to the Division (i.e. a copy of the cover letter).
- You will need to demonstrate that you have the legal right to mine within the project area. Your notice indicates that there is currently a dispute of mineral and or surface rights with Red Slab, LLC and that there is also a conservation easement on the property. This issue will need to be resolved prior to the Division accepting your notice (Note, the Division does not adjudicate land or mineral ownership disputes. This is a matter for civil court). Also, the current Court Order from District Court prohibiting mining activity would need to be resolved.



Page 2
Richard Davis
S/049/054
February 22, 2006

Reclamation surety is required to be posted for all mining or exploration operations. You will need to submit the proposed reclamation surety and a reclamation contract (form MR-RC available on the Division's web site (www.ogm.utah.gov)). The reclamation surety and contract must be approved by the Division prior to mining operations. Please contact Beth Erickson at (801) 538-5318 for the proper forms or questions regarding the surety forms or reclamation contract.

The Division will suspend further review and await your amended Notice of Intention. In reply, please refer to file number S/049/054. Thank you for your cooperation.

Sincerely,

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:LK:jb
cc: Camille Williams, Provo City
P:\GROUPS\MINERALS\WP\M049-Utah\S0490054-PeaysDreamMine-RichardDavis\final\rev-ltr-02162006.doc